

from the waters of Lake Waco or the Bosque Rivers or their tributaries in the counties of McLennan, Bosque, and Hamilton; to prohibit the use of any drag seine or nets and to limit the size and number to be caught, and to prohibit the use of a troll from a motor boat or boat propelled by other than ordinary oars, and to prohibit the catching of bass, crappie, perch, channel or opalously catfish during the months of February, March, and April of each year, and declaring an emergency."

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,

Austin, Texas, September 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 27, A bill to be entitled "An Act providing that the river bed of the Trinity River in Henderson and Navarro counties shall not be sold and shall remain open to the public for fishing and hunting with the specific reference to that portion of the Trinity River known as the Cut Off; and providing that the commissioners courts of Henderson and Navarro counties shall have the right of condemnation to procure right of ways to said river or Cut Off, and giving to the Game, Fish and Oyster Commission authority to make regulations controlling fishing and hunting on the said Cut Off of the Trinity River, and providing a penalty for violations of same,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

#### FIFTH DAY.

(Wednesday, September 16, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Alsup.
Adams of Harris.	Anderson.
Adams of Jasper.	Baker.
Adamson.	Barron.
Adkins.	Beck.
Akin.	Bond.

Bounds.	Jones of Shelby.
Boyd.	Jones of Atascosa.
Brice.	Justiss.
Brooks.	Keller.
Bryant.	Kennedy.
Burns of Walker.	Laird.
Burns	Lee.
of McCulloch.	Lemens.
Carpenter.	Leonard.
Caven.	Lockhart.
Claunch.	McCombs.
Coltrin.	McGill.
Coombes.	McGregor.
Cox of Lamar.	Magee.
Cox of Limestone.	Mathis.
Cunningham.	Metcalfe.
Dale.	Moffett.
Daniel.	Moore.
Davis.	Morse.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Nicholson.
Dowell.	Olsen.
Dunlap.	O'Quinn.
Dwyer.	Patterson.
Elliott.	Petsch.
Engelhard.	Ramsey.
Farmer.	Ratliff.
Ferguson.	Ray.
Finn.	Reader.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Sanders.
Gilbert.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Graves.	Shelton.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stephens.
Harrison	Stevenson.
of El Paso.	Strong.
Harrison	Sullivant.
of Waller.	Tarwater.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Herzik.	Terrell
Hill.	of Val Verde.
Hines.	Towery.
Holder.	Turner.
Holland.	Van Zandt.
Holloway.	Vaughan.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Hubbard.	Walker.
Hughes.	Weinert.
Jackson.	West of Coryell.
Johnson	West of Cameron.
of Dallam.	Westbrook.
Johnson	Wiggs.
of Dimmit.	Wyatt.
Johnson of Morris.	Young.

## Absent.

Duvall.	Martin.
Lilley.	Pope.
Long.	

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE  
GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bedford for today, on motion of Mr. Coombes.

Mr. Lasseter for today and the balance of the week, on motion of Mr. West of Cameron.

The following members were granted leaves of absence on account of illness:

Mr. Albritton and Mr. Steward for today and the balance of the week, on motion of Mr. Minor.

Mr. Bradley for today and the balance of the week, on motion of Mr. Holland.

HOUSE BILLS ON FIRST  
READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Sparkman and Mr. Graves:

H. B. No. 50, A bill to entitled "An Act to amend Section 28, Chapter 16, of the General Laws passed by the Thirty-ninth Legislature, at its First Called Session, by adding thereto two new sections, known as Section 16-A and Section 16-B; providing that where any road district includes within its limits portion of a previously created road district, subdivision or precinct, having road bond debts outstanding, the newly created road district may issue bonds for the purchase of roads within the previously created district, subdivision or precinct; providing that such bonds shall be authorized and

issued in the form and manner prescribed by general law; providing that nothing in this act shall affect or impair any bond debts of previously created road districts, subdivisions or precincts, portion of which may be included within the subsequently created road district, but that such indebtedness shall remain chargeable against the territory voting the same; providing that where a two-thirds majority of the qualified taxpayers and voters of any road district embracing portions of any previously created road district, subdivision or precinct, heretofore created, voting on the proposition, have voted in favor of the issuance of bonds for the purchase of roads within the road district, subdivision or precinct, portions of which were and are included within the new district, and also, voting on the proposition of the further construction of roads within the new district and the levy of taxes therefor, and such bonds have been approved by the Attorney General and registered by the State Comptroller, each such election and all acts and proceedings in connection therewith by the commissioners' court, and all such bonds and taxes, are validated and declared to be the legal and binding obligations of such districts, according to their terms; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Gilbert:

H. B. No. 51, A bill to be entitled "An Act providing for the pay of the Special Chief Justice of the Eleventh Court of Civil Appeals; making an appropriation therefor, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Satterwhite:

H. B. No. 52, A bill to be entitled "An Act to repeal Chapter 325 of the General Laws of the Regular Session of the Forty-second Legislature, placing Presidio county under the hide and animal inspection laws of Texas, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Leonard, House bills Nos. 47 and 49 were ordered not printed.

## BILL ORDERED PRINTED.

Mr. Farmer moved that House bill No. 11, reported adversely with a minority favorable report, be printed, and that it be printed in mimeograph form and not otherwise printed.

The motion prevailed.

## RELATIVE TO THE CONSIDERATION OF RESOLUTIONS.

On motion of Mr. Johnson of Dimmit, the consideration of resolutions was dispensed with until the House has disposed of House bill No. 7.

## HOUSE BILL NO. 19 ON THIRD READING.

The Speaker laid before the House, as a special order for this hour, on its third reading and final passage,

H. B. No. 19, A bill to be entitled "An Act repealing Subdivision four (4) of Article 7047 of the Revised Statutes of 1925, as amended by Chapter 212, Acts of the Regular Session of the Forty-second Legislature, levying an occupation tax on peddlers, and declaring an emergency."

The bill was read third time.

Mr. Petsch moved that further consideration of the bill be postponed indefinitely.

Mr. DeWolfe offered the following amendment to the bill:

Amend House bill No. 19, Section 1, by adding at the end of said section the following: "and said subdivision shall hereafter read as follows:

"Section 4. Peddlers.—From every foot-peddler, five dollars in each county in which he peddles; from every peddler with one horse or one pair of oxen, seven dollars and fifty cents in the county in which he peddles; from every peddler with two horses or two pair oxen, ten dollars in each county in which said occupation is pursued; from every peddler with sail or other boat in streams, along coasts or bays of this State, ten dollars in each county in which said occupation is pursued. Nothing herein shall be so construed as to include vendors of literature or traveling vendors of poultry, vegetables, fruits or other country produce exclusively, or fruit trees exclusively."

(Mr. Sanders in the chair.)

Mr. Lockhart moved the previous

question on the pending motion to postpone indefinitely the amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it prevailed by the following vote:

## Yeas—62.

Adams of Jasper.	Hines.
Adamson.	Holloway.
Adkins.	Hubbard.
Alsup.	Hughes.
Anderson.	Johnson
Baker.	of Dimmit.
Boyd.	Johnson of Morris.
Brice.	Jones of Shelby.
Bryant.	Jones of Atascosa.
Burns	Justiss.
of McCulloch.	Kennedy.
Carpenter.	Lee.
Claunch.	Lemens.
Cox of Lamar.	Lockhart.
Cox of Limestone.	McCombs.
Cunningham.	Magee.
Dale.	Mathis.
DeWolfe.	Moffett.
Donnell.	Olsen.
Dunlap.	Ratliff.
Ferguson.	Reader.
Fisher.	Rogers.
Ford.	Sullivan.
Fuchs.	Tarwater.
Goodman.	Towery.
Graves.	Van Zandt.
Greathouse.	Vaughan.
Harman.	Veatch.
Harrison	Wagstaff.
of El Paso.	Walker.
Harrison	West of Cameron.
of Waller.	Wiggs.
Herzik.	Wyatt.

## Nays—46.

Akin.	Howesley.
Bounds.	Jackson.
Brooks.	Laird.
Burns of Walker.	Leonard.
Coltrin.	McGill.
Coombes.	Metcalfe.
Davis.	Moore.
Dodd.	Munson.
Elliott.	Nicholson.
Engelhard.	O'Quinn.
Farmer.	Petsch.
Forbes.	Ray.
Gilbert.	Rountree.
Giles.	Sanders.
Grogan.	Scott.
Hanson.	Shelton.
Hatchitt.	Smith of Bastrop.
Hill.	Smith of Wood.
Holder.	Sparkman.
Holland.	Stephens.
Hoskins.	Stevenson.

Strong. West of Coryell.  
Turner. Young.

## Absent.

Adams of Harris.	McGregor.
Barron.	Martin.
Beck.	Morse.
Bond.	Murphy.
Caven.	Patterson.
Daniel.	Pope.
Dowell.	Ramsey.
Duvall.	Richardson.
Dwyer.	Satterwhite.
Finn.	Savage.
Hardy.	Sherrill.
Hefley.	Terrell
Johnson	of Cherokee.
of Dallam.	Terrell
Keller.	of Val Verde.
Lilley.	Weinert.
Long.	Westbrook.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Question recurring on the amendment by Mr. DeWolfe, it was lost by the following vote (not receiving the necessary two-thirds vote):

## Yeas—67.

Adams of Jasper.	Harman.
Adamson.	Harrison
Adkins.	of El Paso.
Akin.	Harrison
Alsup.	of Waller.
Barron.	Hatchitt.
Beck.	Hines.
Bounds.	Holloway.
Boyd.	Hoskins.
Brice.	Hubbard.
Bryant.	Hughes.
Burns of Walker.	Johnson
Burns	of Dimmit.
of McCulloch.	Johnson of Morris.
Caven.	Jones of Shelby.
Claunch.	Justiss.
Coltrin.	Keller.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Lee.
Dale.	Lemens.
DeWolfe.	Magee.
Dodd.	Metcalf.
Dowell.	Moffett.
Dwyer.	Olsen.
Ferguson.	Ray.
Finn.	Richardson.
Fisher.	Rogers.
Fuchs.	Shelton.
Goodman.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Stephens.

Stevenson. Van Zandt.  
Tarwater. Vaughan.  
Terrell West of Coryell.  
of Val Verde. Westbrook.  
Towery. Wyatt.

## Nays—47.

Adams of Harris.	Leonard.
Baker.	Lockhart.
Carpenter.	McCombs.
Coombes.	McGill.
Cunningham.	McGregor.
Daniel.	Mathis.
Davis.	Moore.
Donnell.	Munson.
Dunlap.	Nicholson.
Farmer.	O'Quinn.
Forbes.	Patterson.
Ford.	Petsch.
Gilbert.	Ramsey.
Giles.	Ratliff.
Graves.	Reader.
Greathouse.	Rountree.
Grogan.	Scott.
Hefley.	Sparkman.
Herzik.	Sullivan.
Hill.	Turner.
Holder.	Wagstaff.
Howsley.	Walker.
Jackson.	West of Cameron.
Johnson	Wiggs.
of Dallam.	Young.

## Absent.

Anderson.	Morse.
Bond.	Murphy.
Brooks.	Pope.
Duvall.	Sanders.
Elliott.	Satterwhite.
Engelhard.	Savage.
Holland.	Sherrill.
Jones of Atascosa.	Strong.
Laird.	Terrell
Lilley.	of Cherokee.
Long.	Veatch.
Martin.	Weinert.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Question then recurring on the motion by Mr. Petsch, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—48.

Adams of Harris.	Daniel.
Burns of Walker.	Davis.
Carpenter.	Dunlap.
Claunch.	Ford.
Coombes.	Fuchs.

Gilbert.	Moore.
Giles.	Munson.
Graves.	Murphy.
Greathouse.	Nicholson.
Grogan.	Olsen.
Harman.	O'Quinn.
Harrison	Patterson.
of El Paso.	Petsch.
Hatchitt.	Rountree.
Hefley.	Sanders.
Herzik.	Scott.
Hill.	Smith of Bastrop.
Holder.	Sullivant.
Howsley.	Turner.
Jackson.	Walker.
Lemens.	Weinert.
Leonard.	West of Coryell.
Magee.	West of Cameron.
McGill.	Young.
Mathis.	

## Nays—69.

Adams of Jasper.	Hubbard.
Adamson.	Hughes.
Adkins.	Johnson
Akin.	of Dallam.
Alsup.	Johnson
Anderson.	of Dimmit.
Baker.	Johnson of Morris.
Beck.	Jones of Shelby.
Bond.	Justiss.
Bounds.	Keller.
Boyd.	Kennedy.
Brice.	Lee.
Bryant.	Lockhart.
Burns	McCombs.
of McCulloch.	Moffett.
Caven.	Ramsey.
Coltrin.	Ratliff.
Cox of Lamar.	Ray.
Cox of Limestone.	Reader.
Cunningham.	Richardson.
Dale.	Rogers.
DeWolfe.	Savage.
Dodd.	Shelton.
Donnell.	Smith of Wood.
Dwyer.	Sparkman.
Farmer.	Stephens.
Ferguson.	Stevenson.
Finn.	Tarwater.
Forbes.	Terrell
Goodman.	of Val Verde.
Hanson.	Towery.
Hardy.	Van Zandt.
Harrison	Vaughan.
of Waller.	Wagstaff.
Hines.	Westbrook.
Holloway.	Wiggs.
Hoskins.	Wyatt.

## Present—Not Voting.

Fisher.	Metcalf.
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## Absent.

Barron.	Dowell.
Brooks.	Duvall.

Elliott.	Morse.
Engelhard.	Pope.
Holland.	Satterwhite.
Jones of Atascosa.	Sherrill.
Laird.	Strong.
Lilley.	Terrell
Long.	of Cherokee.
McGregor.	Veatch.
Martin.	

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

House bill No. 19 was then passed by the following vote:

## Yeas—70.

Adams of Jasper.	Hubbard.
Adamson.	Hughes.
Adkins.	Johnson
Akin.	of Dimmit.
Anderson.	Johnson
Baker.	of Morris.
Barron.	Jones of Shelby.
Beck.	Justiss.
Bond.	Keller.
Bounds.	Kennedy.
Boyd.	Lee.
Brice.	Lockhart.
Bryant.	McCombs.
Burns	Magee.
of McCulloch.	Metcalf.
Claunch.	Moffett.
Coltrin.	Ramsey.
Cox of Lamar.	Ratliff.
Cox of Limestone.	Ray.
Cunningham.	Reader.
Dale.	Richardson.
DeWolfe.	Rogers.
Dodd.	Shelton.
Donnell.	Smith of Wood.
Dwyer.	Sparkman.
Farmer.	Stephens.
Ferguson.	Stevenson.
Finn.	Tarwater.
Fisher.	Terrell
Forbes.	of Cherokee.
Goodman.	Terrell
Hanson.	of Val Verde.
Hardy.	Towery.
Harrison	Van Zandt.
of Waller.	Vaughan.
Hines.	Wagstaff.
Holloway.	Westbrook.
Hoskins.	Wyatt.

## Nays—51.

Adams of Harris.	Caven.
Alsup.	Coombes.
Brooks.	Daniel.
Burns of Walker.	Davis.
Carpenter.	Dowell.

Dunlap.	McGregor.
Ford.	Mathis.
Fuchs.	Moore.
Gilbert.	Munson.
Giles.	Murphy.
Greathouse.	Nicholson.
Grogan.	Olsen.
Harman.	O'Quinn.
Harrison	Patterson.
of El Paso.	Petsch.
Hatchitt.	Rountree.
Hefley.	Sanders.
Herzik.	Scott.
Hill.	Smith of Bastrop.
Holder.	Sullivant.
Howsley.	Turner.
Jackson.	Walker.
Johnson of Dallam.	Weinert.
Lemens.	West of Coryell.
Leonard.	West of Cameron.
McGill.	Young.

Present—Not Voting.

Jones of Atascosa.

Absent.

Duvall.	Morse.
Elliott.	Pope.
Engelhard.	Satterwhite.
Graves.	Savage.
Holland.	Sherrill.
Laird.	Strong.
Lilley.	Veatch.
Long.	Wiggs.
Martin.	

Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Mr. Anderson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Sanders in the chair.)

On motion of Mr. Johnson of Dimmit, the House, at 11:20 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of considering House bill No. 7.

#### IN THE HOUSE.

(Mr. Sanders in the chair.)

At 11:50 o'clock a. m., Mr. Sanders, Acting Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave

of the House to sit again at 2 o'clock p. m., today.

The following proceedings were also reported:

#### CONSIDERATION OF HOUSE BILL NO. 7.

The Committee resumed consideration of House bill No. 7, relative to the reduction of cotton acreage, with committee amendment by Mr. Johnson of Dimmit and substitute by Mr. Gilbert for the committee amendment, pending.

At 11:50 o'clock a. m., Mr. Satterwhite moved that the Committee rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m., today.

The motion prevailed.

(Signed) FRED H. MINOR,  
Chairman of the Committee of the Whole House.

#### MOTION FOR SPECIAL ORDER.

Mr. Greathouse moved that House bill No. 31 be set as a special order for 2 o'clock p. m., today.

Mr. Kennedy moved that House bill No. 31 be set as a special order for 2 o'clock p. m., tomorrow.

Question first recurring on the motion by Mr. Kennedy, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—43.

Adams of Jasper.	Keller.
Adkins.	Kennedy.
Alsup.	Laird.
Baker.	Lemens.
Bounds.	McCombs.
Boyd.	Mathis.
Carpenter.	Munson.
Cox of Limestone.	Nicholson.
Dodd.	Ratliff.
Farmer.	Ray.
Ferguson.	Richardson.
Fisher.	Satterwhite.
Gilbert.	Shelton.
Giles.	Smith of Bastrop.
Hardy.	Smith of Wood.
Harrison	Terrell
of El Paso.	of Cherokee.
Herzik.	Terrell
Holloway.	of Val Verde.
Howsley.	Towery.
Hughes.	Van Zandt.
Johnson of Morris.	Veatch.
Justiss.	Wyatt.

Nays—65.

Adamson.	Anderson.
Akin.	Barron.

Beck.	Jones of Atascosa.
Brice.	Lee.
Bryant.	Leonard.
Burns of Walker.	Lockhart.
Burns	McGill.
of McCulloch.	McGregor.
Caven.	Metcalfe.
Claunch.	Moffett.
Coltrin.	Moore.
Coombes.	Morse.
Cox of Lamar.	Murphy.
Daniel.	Olsen.
Donnell.	O'Quinn.
Dowell.	Patterson.
Elliott.	Petsch.
Engelhard.	Rogers.
Forbes.	Rountree.
Ford.	Savage.
Fuchs.	Scott.
Greathouse.	Sparkman.
Grogan.	Stevenson.
Hanson.	Sullivant.
Harman.	Tarwater.
Harrison	Vaughan.
of Waller.	Wagstaff.
Hatchitt.	Walker.
Hill.	West of Coryell.
Holder.	West of Cameron.
Hoskins.	Westbrook.
Hubbard.	Wiggs.
Jackson.	Young.
Johnson of Dimmit.	

## Present—Not Voting.

Stephens.

## Absent.

Adams of Harris.	Johnson
Bond.	of Dallam.
Brooks.	Jones of Shelby.
Cunningham.	Lilley.
Dale.	Long.
Davis.	Magee.
DeWolfe.	Martin.
Dunlap.	Pope.
Duvall.	Ramsey.
Dwyer.	Reader.
Finn.	Sanders.
Goodman.	Sherrill.
Graves.	Strong.
Hefley.	Turner.
Hines.	Weinert.
Holland.	

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Question then recurring on the motion by Mr. Greathouse, it was lost by the following vote:

## Yeas—55.

Adkins.	Baker.
Akin.	Barron.

Bounds.	Johnson
Brooks.	of Dallam.
Bryant.	Jones of Shelby.
Burns of Walker.	Justiss.
Claunch.	Laird.
Coltrin.	Leonard.
Cox of Lamar.	Lockhart.
Daniel.	McGregor.
Dodd.	Munson.
Donnell.	O'Quinn.
Elliott.	Rogers.
Farmer.	Scott.
Finn.	Shelton.
Forbes.	Sherrill.
Gilbert.	Smith of Wood.
Greathouse.	Sparkman.
Grogan.	Stevenson.
Hanson.	Sullivant.
Hardy.	Tarwater.
Harrison	Terrell
of Waller.	of Cherokee.
Hatchitt.	Towery.
Hill.	Turner.
Holder.	Veatch.
Hoskins.	Walker.
Howsley.	Wyatt.
Hubbard.	Young.
Jackson.	

## Nays—53.

Adams of Harris.	McCombs.
Adams of Jasper.	McGill.
Adamson.	Mathis.
Alsup.	Metcalfe.
Anderson.	Moffett.
Boyd.	Moore.
Brice.	Morse.
Carpenter.	Murphy.
Caven.	Nicholson.
Coombes.	Olsen.
Cox of Limestone.	Patterson.
Dowell.	Ratliff.
Ferguson.	Ray.
Fisher.	Richardson.
Ford.	Rountree.
Fuchs.	Satterwhite.
Giles.	Savage.
Goodman.	Smith of Bastrop.
Harman.	Stephens.
Harrison	Terrell
of El Paso.	of Val Verde.
Hughes.	Van Zandt.
Johnson	Vaughan.
of Dimmit.	Wagstaff.
Johnson of Morris.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Keller.	Westbrook.
Kennedy.	Wiggs.
Lemens.	

## Absent.

Beck.	Davis.
Bond.	DeWolfe.
Burns	Dunlap.
of McCulloch.	Duvall.
Cunningham.	Dwyer.
Dale.	Engelhard.

Graves.	Magee.
Hefley.	Martin.
Herzik.	Petsch.
Hines.	Pope.
Holland.	Ramsey.
Holloway.	Reader.
Lee.	Sanders.
Lilley.	Strong.
Long.	Weinert.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

## RECESS.

On motion of Mr. Anderson, the House at 12 o'clock m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

## IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. Johnson of Dimmit, the House, at 2 o'clock p. m., resolved itself into a Committee of the Whole House for the purpose of further considering House bill No. 7.

## IN THE HOUSE.

(Mr. Minor in the chair.)

At 5:50 o'clock p. m., Mr. Minor, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise and report progress.

The following proceedings were also reported:

## CONSIDERATION OF HOUSE BILL NO. 7.

The Committee resumed consideration of pending business, same being House bill No. 7, relative to the reduction of cotton acreage, with committee amendment by Mr. Johnson of Dimmit and substitute amendment by Mr. Gilbert for the committee amendment, pending.

Mr. Bond moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Savage moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

(Mr. Sanders in the chair.)

Mr. Van Zandt moved to table the substitute amendment by Mr. Gilbert.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—36.

Adams of Harris.	Kennedy.
Adams of Jasper.	Lemens.
Beck.	McCombs.
Bounds.	Metcalfe.
Carpenter.	Moffett.
Caven.	Moore.
Davis.	Morse.
DeWolfe.	Patterson.
Elliott.	Ray.
Ferguson.	Reader.
Forbes.	Stephens.
Fuchs.	Sullivan.
Harman.	Van Zandt.
Hefley.	Vaughan.
Hill.	Veatch.
Hoskins.	Wagstaff.
Howsley.	Weinert.
Keller.	West of Coryell.

## Nays—77.

Adamson.	Ford.
Adkins.	Gilbert.
Akin.	Goodman.
Alsup.	Graves.
Baker.	Greathouse.
Barron.	Grogan.
Boyd.	Hanson.
Brooks.	Hardy.
Bryant.	Harrison
Burns	of El Paso.
of McCulloch.	Harrison
Claunch.	of Waller.
Coltrin.	Hatchitt.
Coombes.	Herzik.
Cox of Lamar.	Hines.
Cox of Limestone.	Holder.
Dale.	Holland.
Daniel.	Holloway.
Dodd.	Hubbard.
Dowell.	Jackson.
Duvall.	Johnson
Dwyer.	of Dimmit.
Engelhard.	Johnson of Morris.
Farmer.	Jones of Shelby.
Fisher.	Jones of Atascosa.



Justiss.	Shelton.
Laird.	Sherrill.
Lee.	Smith of Bastrop.
Leonard.	Smith of Wood.
Lockhart.	Sparkman.
McGill.	Stevenson.
Magee.	Strong.
Munson.	Tarwater.
Nicholson.	Terrell
Olsen.	of Cherokee.
Ramsey.	Turner.
Ratliff.	Walker.
Richardson.	West of Cameron.
Rogers.	Westbrook.
Rountree.	Wyatt.
Scott.	Young.

## Absent.

Anderson.	McGregor.
Bond.	Martin.
Brice.	Mathis.
Burns of Walker.	Murphy.
Cunningham.	O'Quinn.
Donnell.	Petsch.
Dunlap.	Pope.
Finn.	Sanders.
Giles.	Satterwhite.
Hughes.	Savage.
Johnson	Terrell
of Dallam.	of Val Verde.
Lilley.	Towery.
Long.	Wiggs.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Mr. Keller moved a call of the Committee for the purpose of maintaining a quorum pending consideration of House bill No. 7, and the call was duly seconded.

Question recurring on the motion for the call of the Committee, it was lost by the following vote:

## Yeas—49.

Adams of Jasper.	Elliott.
Adamson.	Engelhard.
Adkins.	Forbes.
Akin.	Fuchs.
Barron.	Graves.
Beck.	Greathouse.
Bond.	Harrison
Bounds.	of Waller.
Boyd.	Herzik.
Brice.	Hoskins.
Caven.	Howsley.
Coombes.	Johnson
Davis.	of Dimmit.
Dwyer.	Keller.

Kennedy.	Rountree.
Lee.	Savage.
McCombs.	Stephens.
Magee.	Tarwater.
Metcalf.	Terrell
Moffett.	of Cherokee.
Moore.	Turner.
Munson.	Van Zandt.
Olsen.	Veatch.
Ratliff.	Wagstaff.
Ray.	Weinert.
Reader.	Westbrook.

## Nays—61.

Adams of Harris.	Jackson.
Alsup.	Johnson
Baker.	of Dallam.
Bryant.	Johnson of Morris.
Carpenter.	Jones of Shelby.
Claunch.	Jones of Atascosa.
Coltrin.	Justiss.
Cox of Lamar.	Laird.
Cox of Limestone.	Lemens.
Dale.	Leonard.
Daniel.	Lockhart.
DeWolfe.	McGill.
Dodd.	Morse.
Dowell.	Nicholson.
Duvall.	O'Quinn.
Farmer.	Ramsey.
Ferguson.	Rogers.
Fisher.	Scott.
Gilbert.	Sherrill.
Goodman.	Smith of Bastrop.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hardy.	Stevenson.
Harman.	Strong.
Harrison	Sullivan.
of El Paso.	Terrell
Hatchitt.	of Val Verde.
Hefley.	Vaughan.
Hill.	Walker.
Hines.	West of Coryell.
Holder.	Wyatt.
Holloway.	Young.

## Present—Not Voting.

Richardson.

## Absent.

Anderson.	Long.
Brooks.	McGregor.
Burns of Walker.	Martin.
Burns	Mathis.
of McCulloch.	Murphy.
Cunningham.	Patterson.
Donnell.	Petsch.
Dunlap.	Pope.
Finn.	Sanders.
Ford.	Satterwhite.
Giles.	Shelton.
Holland.	Towery.
Hubbard.	West of Cameron.
Hughes.	Wiggs.
Lilley.	

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Mr. Keller moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost by the following vote:

## Yeas—42.

Adams of Harris.	Keller.
Bond.	Kennedy.
Boyd.	Lee.
Carpenter.	Lemens.
Caven.	Mathis.
Claunch.	Metcalf.
Coombes.	Moffett.
Cox of Limestone.	Moore.
Davis.	Morse.
Donnell.	Munson.
Ferguson.	Olsen.
Finn.	Ray.
Forbes.	Savage.
Fuchs.	Smith of Bastrop.
Hefley.	Stephens.
Herzik.	Van Zandt.
Holland.	Vaughan.
Howsley.	Veatch.
Hubbard.	Weinert.
Hughes.	West of Coryell.
Johnson of Dallam.	Wiggs.

## Nays—70.

Adams of Jasper.	Engelhard.
Adamson.	Farmer.
Adkins.	Fisher.
Akin.	Ford.
Alsup.	Gilbert.
Baker.	Goodman.
Barron.	Graves.
Beck.	Greathouse.
Bounds.	Grogan.
Brice.	Hanson.
Brooks.	Hardy.
Bryant.	Harrison
Burns of Walker.	of El Paso.
Burns	Harrison
of McCulloch.	of Waller.
Coltrin.	Hatchitt.
Cox of Lamar.	Hill.
Cunningham.	Holder.
Dale.	Holloway.
Daniel.	Hoskins.
DeWolfe.	Jackson.
Dodd.	Johnson of Morris.
Dowell.	Jones of Atascosa.
Dunlap.	Justiss.
Duvall.	Laird.
Elliott.	Lockhart.

McGill.	Sherrill.
Magee.	Sparkman.
Murphy.	Stevenson.
Ramsey.	Strong.
Ratliff.	Sullivant.
Richardson.	Terrell
Rogers.	of Cherokee.
Rountree.	Turner.
Satterwhite.	Walker.
Scott.	Wyatt.
Shelton.	Young.

## Present—Not Voting.

Giles.

## Absent.

Anderson.	O'Quinn.
Dwyer.	Patterson.
Harman.	Petsch.
Hines.	Pope.
Johnson	Reader.
of Dimmit.	Sanders.
Jones of Shelby.	Smith of Wood.
Leonard.	Tarwater.
Lilley.	Terrell
Long.	of Val Verde.
McCombs.	Towery.
McGregor.	Wagstaff.
Martin.	West of Cameron.
Nicholson.	Westbrook.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	McDougald.
Bradley.	Mehl.
Farrar.	Steward.
Kayton.	Warwick.

Mr. Daniel moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Johnson of Morris moved the previous question on the pending amendments, and the main question was ordered.

Mr. Daniel moved a call of the Committee for the purpose of securing and maintaining a quorum pending consideration of the pending amendments to House bill No. 7, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Daniel, the Sergeant-at-Arms was instructed to

bring in all members within the city who are not ill.

The roll of the Committee was called and a quorum was announced present.

(Speaker in the chair.)

Question recurring on the substitute amendment by Mr. Gilbert for the (committee) amendment by Mr. Johnson of Dimmit, yeas and nays were demanded.

The amendment was lost by the following vote:

#### Yeas—37.

Adkins.	Hill.
Alsup.	Hines.
Bond.	Holloway.
Boyd.	Hubbard.
Brooks.	Johnson of Morris.
Bryant.	Jones of Shelby.
Burns of Walker.	Jones of Atascosa.
Coombes.	McGill.
Cox of Lamar.	Magee.
Dale.	Ramsey.
Daniel.	Richardson.
Dodd.	Rogers.
Fisher.	Shelton.
Gilbert.	Sherrill.
Greathouse.	Smith of Wood.
Hanson.	Sullivant.
Harrison	Tarwater.
of Waller.	Walker.
Hatchitt.	Wiggs.

#### Nays—92.

Adams of Harris.	Finn.
Adams of Jasper.	Forbes.
Adamson.	Ford.
Akin.	Fuchs.
Baker.	Giles.
Barron.	Goodman.
Beck.	Graves.
Bounds.	Grogan.
Brice.	Hardy.
Burns	Harman.
of McCulloch.	Harrison
Carpenter.	of El Paso.
Caven.	Hefley.
Claunch.	Herzik.
Coltrin.	Holland.
Cox of Limestone.	Hoskins.
Cunningham.	Howsley.
Davis.	Hughes.
DeWolfe.	Johnson
Donnell.	of Dallam.
Dowell.	Johnson
Duvall.	of Dimmit.
Dwyer.	Justiss.
Elliott.	Keller.
Engelhard.	Kennedy.
Farmer.	Laird.
Ferguson.	Lee.

Lemens.	Satterwhite.
Leonard.	Savage.
Lockhart.	Smith of Bastrop.
Long.	Sparkman.
McCombs.	Stephens.
McDougald.	Stevenson.
McGregor.	Strong.
Mathis.	Terrell
Metcalf.	of Cherokee.
Moffett.	Terrell
Moore.	of Val Verde.
Morse.	Towery.
Munson.	Turner.
Murphy.	Van Zandt.
Olsen.	Vaughan.
Patterson.	Veatch.
Petsch.	Wagstaff.
Ratliff.	Weinert.
Ray.	West of Coryell.
Reader.	West of Cameron.
Rountree.	Westbrook.
Sanders.	Young.

#### Absent.

Anderson.	Nicholson.
Dunlap.	O'Quinn.
Holder.	Pope.
Jackson.	Scott.
Lilley.	Wyatt.
Martin.	

#### Absent—Excused.

Albritton.	Lasseter.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

#### Reasons for Vote.

At several meetings of farmers held in my district it was almost the unanimous sentiment of those present that the so-called Long plan, or plan for a cotton holiday in 1932, should be adopted. I believe that I am carrying out the wishes of my farmer constituents in voting for this plan. I further believe that it has a better chance of being held constitutional than any of the other plans. Personally, I feel that all of the proposed cotton legislation is unsound as a principle of government, and I should not vote for any of it were I not convinced that it is the overwhelming desire of my farmer constituents that some legislation, either prohibiting the planting of cotton or reducing the acreage to be planted, be passed. I feel that while none of this proposed legislation will materially benefit the farmers, yet, neither will any of it do any harm to the people of Texas as a whole, and I therefore reluctant-

ly cast my vote for what I believe to be the desire of a large majority of my constituents who are most vitally concerned.

McGILL.

In casting my vote for the so-called Long plan, I did so because that seems to be the cotton acreage reduction plan favored by my constituents so far as they have made their desires known to me, which has been done at a number of places in my district by resolutions passed at public meetings. I feel sure that the cotton farmers only favor reduction of cotton acreage by act of the Legislature, because they hope thereby to get an increased price for cotton this year. I do not believe that a percentage acreage reduction in cotton will increase the price of this year's cotton crop, and doubt seriously whether the prohibition of the growing of any cotton in 1932 will increase the price of cotton, but hoping it will and, complying with the expressed views of cotton growers in my district, I have voted for the Long plan. In casting this vote I yielded to the expressed opinions coming from my district and voted contrary to my own views. I seriously doubt the constitutionality and the wisdom of any cotton acreage control that may be put in force by legislative enactment. I believe that the chief cause of our present depressed condition is under-consumption, and that the only way to better the condition is to seek methods of bringing about normal consumption. It seems certain to me that to curtail production to fit under-consumption will not solve our problem.

TARWATER.

In voting for committee substitute No. 1, I do so against my judgment, but in conformity with a resolution adopted by the farmers of my district at a mass meeting, which resolution instructed the Representative and Senator of Cooke county to vote for a cotton vacation in 1932, I vote yes, because of the instructions, when I would vote no if left free to use my own judgment.

SULLIVANT.

I am voting "no" on the Long plan, first, because Governor Sterling has said he will veto the bill if passed; second, if passed and vetoed would leave the State without any cotton regulatory laws, for which this special session was called.

TOWERY.

Personally I am opposed to such legislation as this and would have so voted had there not been a decided demand from my district for some form of legislation on restricting cotton acreage. I think it a decided step in the direction of robbing the public of individual liberties heretofore held sacred to the public, and not to be invaded by regulations or restrictions of government. I believe my vote reflects the sentiment in my district, as I am voting for this bill upon solicitation of many of my constituents.

YOUNG.

Question then recurring on the committee amendment by Mr. Johnson of Dimmit, it was adopted by the following vote:

Yeas—96.

Adams of Jasper.	Hefley.
Adamson.	Herzik.
Adkins.	Hines.
Akin.	Holland.
Baker.	Hoskins.
Barron.	Howsley.
Bond.	Hubbard.
Bounds.	Hughes.
Boyd.	Johnson
Bryant.	of Dallam.
Burns of Walker.	Johnson
Burns	of Dimmit.
of McCulloch.	Justiss.
Carpenter.	Keller.
Caven.	Kennedy.
Claunch.	Laird.
Coltrin.	Lee.
Cox of Lamar.	Lemens.
Cunningham.	Leonard.
Davis.	Long.
DeWolfe.	McCombs.
Dodd.	McGill.
Donnell.	Magee.
Dowell.	Metcalfe.
Dwyer.	Moffett.
Elliott.	Munson.
Engelhard.	Murphy.
Ferguson.	Olsen.
Finn.	Petsch.
Fisher.	Ratliff.
Forbes.	Ray.
Ford.	Reader.
Fuchs.	Richardson.
Gilbert.	Rogers.
Giles.	Rountree.
Goodman.	Satterwhite.
Graves.	Savage.
Grogan.	Scott.
Hanson.	Shelton.
Hardy.	Smith of Bastrop.
Harman.	Smith of Wood.
Harrison	Sparkman.
of El Paso.	Stevenson.

Strong.	Veatch.
Sullivant.	Wagstaff.
Tarwater.	Weinert.
Terrell	West of Coryell.
of Cherokee.	Westbrook.
Towery.	Wiggs.
Turner.	Young.
Vaughan.	

## Nays—34.

Adams of Harris.	Jones of Shelby.
Alsup.	Jones of Atascosa.
Beck.	Lockhart.
Brice.	McDougald.
Brooks.	McGregor.
Coombes.	Mathis.
Cox of Limestone.	Moore.
Dale.	Morse.
Daniel.	Patterson.
Duvall.	Ramsey.
Farmer.	Sanders.
Greathouse.	Sherrill.
Harrison	Stephens.
of Waller.	Terrell
Hatchitt.	of Val Verde.
Hill.	Van Zandt.
Holloway.	Walker.
Johnson of Morris.	West of Cameron.

## Absent.

Anderson.	Martin.
Dunlap.	Nicholson.
Holder.	O'Quinn.
Jackson.	Pope.
Lilley.	Wyatt.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

Mr. Johnson of Dimmit offered the following (committee) amendment to the bill:

Amend House bill No. 7 by striking out all above the enacting clause and insert in lieu thereof the following:

H. B. No. 7, A bill to be entitled "An Act declaring that it is mandatory under the Constitution of Texas that the Legislature enact laws to compel the preservation, development and fertility of the soil, preserve the public interest, general welfare and happiness of the people, and that in the exercise of its duty to so preserve and develop the natural resources and promote said general welfare, the Legislature declares that the soil and the fertility thereof adapted to raising cotton and other useful plants are the State's most valuable natural re-

sources; that the growing of cotton is an industry of first importance, that the preservation and restoration of the soil and the fertility thereof is essential to the welfare of the people of the State; that the continuous use of land in growing cotton and other soil-exhausting plants without rotation of crops or intervals has caused to a large portion of the land of the State serious deterioration of the soil and the fertility thereof, disastrous erosion and loss of soil, spread of soil and/or plant diseases, propagation of harmful insects making their elimination or control difficult and deterioration of quality and quantity of crops raised, and that like results will spread over other areas unless prevented, and that the results above enumerated have caused a lack of ability of a large percentage of the farmers of the State to meet the obligations due upon their homes, discharge taxes due by them, and injuriously affecting the general welfare of the people, the efficiency of the State government, and that the business of farming has thereby become affected and impressed with a public use, and that in order to alleviate said evils and prevent their further increase, the growing of cotton and other soil-exhausting plants is regulated; providing that in order to preserve and develop the fertility of the soil, to prevent waste and erosion of the soil, to prevent the spread of plant and/or soil diseases, and to destroy insects and prevent insect damage, and to preserve the interest of the public, general welfare, peace and happiness of the people, and to carry out each and every purpose specified it is declared to be unlawful for any person, association of persons, firm, corporation or joint stock company or lessee or occupant of any separately owned tract of land in the State, or the agent of the owner thereof, or any person or persons interested therein, to plant, cultivate or harvest on said separately owned tract of land during the year 1932, or during said year 1932, to cause to be planted, cultivated or harvested thereon, or permit to be planted, cultivated or harvested thereon any crop of cotton or other soil-exhausting plant except in feed crops for man and domestic animals, or either, in excess of 33 1/3 per cent of the area of such separately owned tract of land in cultivation in planting crops during the year 1932; providing

that said act is not intended to apply or prevent the harvesting of cotton or other plants actually planted, cultivated or grown during the preceding year; and further providing that by cultivated lands is meant lands planted in annual crops; defining the words 'separately owned tract'; further providing that said act shall apply under the same conditions therein imposed with the same liabilities and penalties exacted to all crops of cotton or other soil-exhausting plants planted or cultivated or harvested in the State during the year 1933; providing that it shall be unlawful to plant or cultivate or harvest cotton or any other soil-exhausting plant except feed crops for man and domestic animals, or either, on lands of this State two years in succession; providing that for each acre of land so planted or cultivated or harvested or permitted to be planted, cultivated or harvested in violation of this act a liability, forfeiture and penalty of twenty-five dollars (\$25) for each acre is fixed, recoverable by the State of Texas, and payable into the road and bridge fund of the county or counties, respectively, where the violation of this act occurs; fixing venue in the district court; and providing the method of procedure for the institution of said suits, and making it the duty of the several county and district attorneys of the State to institute such proceedings for the enforcement of the provisions of this act and to collect the penalties provided for herein; providing for the granting of injunctions, and that said causes shall have precedence, and that any number of defendants residing in the same county or involving a county line farm may be made parties in the same suit; and providing fees for said attorneys representing the State of Texas of ten per cent (10%) of the amount collected for violation of this act; further providing that in the event of a failure or refusal of the county and/or district attorneys to perform the duties imposed herein, that the Attorney General of the State of Texas shall, upon the request of the county judge of any county or the Commissioner of Agriculture of the State of Texas, carry out said provisions by the institution of said suits; providing that all State-owned and/or operated farms shall come under the provisions of this act; that any and all laws or parts of

laws in conflict herewith are hereby expressly repealed; and providing a saving clause in the event any part of this act should be held unconstitutional or invalid; and declaring that in such an event, the remaining part of this act shall remain in full force and effect as the expressed intent of the Legislature, and declaring an emergency."

The amendment was adopted.

Mr. Johnson of Dimmit moved that House bill No. 7 be reported back to the House with recommendation that it do pass as amended.

The motion prevailed by the following vote:

Yeas—96.

Adams of Jasper.	Holland.
Adamson.	Hoskins.
Adkins.	Howsley.
Akin.	Hubbard.
Baker.	Hughes.
Barron.	Jackson.
Bond.	Johnson
Bounds.	of Dimmit.
Boyd.	Johnson of Morris.
Bryant.	Jones of Shelby.
Burns of Walker.	Justiss.
Burns	Keller.
of McCulloch.	Kennedy.
Carpenter.	Laird.
Caven.	Lee.
Claunch.	Lemens.
Coltrin.	Leonard.
Cox of Lamar.	Long.
Cox of Limestone.	McGill.
Cunningham.	Magee.
Dale.	Metcalfe.
Davis.	Moffett.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Olsen.
Dowell.	Petsch.
Dwyer.	Ramsey.
Elliott.	Ratliff.
Engelhard.	Ray.
Ferguson.	Reader.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Graves.	Shelton.
Grogan.	Smith of Bastrop.
Hanson.	Smith of Wood.
Harman.	Sparkman.
Harrison	Stevenson.
of El Paso.	Strong.
Hefley.	Sullivant.
Herzik.	Tarwater.
Hines.	Terrell of Cherokee.

Turner.	Weinert.
Van Zandt.	West of Coryell.
Vaughan.	Westbrook.
Veatch.	Wiggs.
Wagstaff.	Young.

## Nays—28.

Adams of Harris.	Johnson
Alsup.	of Dallam.
Beck.	Lockhart.
Brice.	McCombs.
Brooks.	McDougald.
Coombes.	McGregor.
Daniel.	Mathis.
Duvall.	Moore.
Farmer.	Morse.
Greathouse.	Patterson.
Hardy.	Sherrill.
Harrison	Terrell
of Waller.	of Val Verde.
Hatchitt.	Walker.
Hill.	West of Cameron.
Holloway.	

## Present—Not Voting.

Stephens.

## Absent.

Anderson.	Martin.
Dunlap.	Nicholson.
Finn.	O'Quinn.
Gilbert.	Pope.
Holder.	Sanders.
Jones of Atascosa.	Towery.
Lilley.	Wyatt.

## Absent—Excused.

Albritton.	Lasseter.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

At 5:40 o'clock p. m., Mr. Johnson of Dimmit moved that the Committee rise and report progress.

The motion prevailed.

(Signed) FRED H. MINOR,  
Chairman of the Committee of the  
Whole House.

## SPECIAL ORDER SET.

On motion of Mr. Johnson of Dimmit, House bill No. 7 was set as a special order for 9:30 o'clock a. m. tomorrow, Thursday, September 17.

## BILL ORDERED NOT PRINTED.

On motion of Mr. Sparkman, House bill No. 50 was ordered not printed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 16, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 11, A bill to be entitled "An Act to amend Section 2, Chapter 34, of Acts of the First Called Session of the Forty-first Legislature of the State of Texas, said chapter being entitled 'An Act to create a more efficient road system for McLennan county, Texas,' by changing the figures eighteen hundred dollars (\$1800) to six hundred dollars (\$600) wherever they appear, and adding thereto a provision prohibiting the use of county-owned automobiles or any form of county-supplied transportation by the county commissioners of McLennan county, and prohibiting the receipt by such commissioners of compensation not herein provided for, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## HOUSE BILL NO. 33 ON SECOND READING.

On motion of Mr. West of Cameron (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 33, A bill to be entitled "An Act waiving the right of the State of Texas to enter upon, for the purpose of development of mines, minerals and mineral rights, including oil and gas thereunder, all lands heretofore granted, or that may hereafter be granted, under Article 8225, of the Revised Statutes, to any navigation district, and by such district conveyed, or that may hereafter be conveyed, to the United States of America for navigation purposes, so long as such lands shall be used by the United States of America, or such navigation district, for navigation purposes, and declaring an emergency."

The Speaker laid the bill before the

House, it was read second time and was passed to engrossment.

#### SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 11, to the Committee on Counties.

#### RECESS.

On motion of Mr. Hardy, the House, at 5:50 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

State Affairs: House bills Nos. 36, 49 and 50.

Education: House bills Nos. 44, 45 and 47.

Committee of the Whole House: House bill No. 7.

The Committee on Agriculture filed an adverse report on House bill No. 24.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, September 16, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 19, A bill to be entitled "An Act repealing Subdivision four (4) of Article 7047, of the Revised Statutes of 1925, as amended by Chapter 212, Acts of the Regular Session of the Forty-second Legislature, levying an occupation tax on peddlers, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

#### FIFTH DAY.

(Continued.)

(Thursday, September 17, 1931.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Minor.

#### HOUSE BILL NO. 7 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act declaring the soil to be a natural resource of the State; declaring it is a public right and a public duty and made mandatory upon the Legislature of the State of Texas under Section 59 of Article 16 of the Constitution of the State of Texas to enact laws to compel the preservation and conservation of the fertility of the soil; providing that for the purpose of preserving and conserving the soil, preventing waste thereof and erosion of the soil, and to aid in the eradication of, and to prevent the spread of, root rot and all other diseases of the soil, it shall be unlawful for any person, association of persons, firm, corporation or joint stock company, during the year 1932, to plant any cotton seed for the purpose of raising cotton on any land in excess of thirty-three and one-third per cent (33 1/3%) of the area thereof in cultivation during the year 1931; and to make it unlawful for any person, association of persons, firm, corporation or joint stock company during the year 1933, to plant any cotton seed for the purpose of raising cotton on any land in excess of fifty per cent (50%) of the area thereof in cultivation during the year 1932, etc., and declaring an emergency."

The bill was read second time.

Mr. Johnson of Dimmit offered the following (committee) amendment to the bill:

Amend House bill No. 7 by striking out all above and below the enacting clause and insert in lieu thereof the following:

H. B. No. 7, A bill to be entitled "An Act declaring that it is mandatory under the Constitution of Texas that the Legislature enact laws to compel the preservation, development